

Maintenance of the Botswanan population of African Elephant *Loxodonta africana* in Appendix II. Proponent: Botswana.

Amendment of annotation °604 regarding the population of Botswana to read:

For the exclusive purpose of allowing in the case of the population of Botswana:

- a) trade in hunting trophies for non-commercial purposes;
- b) trade in live animals for commercial purposes to appropriate and acceptable destinations (and as determined by the national legislation of the country of import);
- c) trade in registered stocks of raw ivory (whole tusks and pieces) of Botswana origin owned by the Government of Botswana for commercial purposes only to CITES-approved trading partners who will not re-export ivory. No international trade in ivory to be permitted until 18 months after the adoption of the proposal (May 2004). Thereafter an initial amount of not more than 20,000 kg of ivory may be traded, followed by annual export quotas of not more than 4,000 kg from the year 2005 onward;
- d) trade in hides;
- e) trade in leather goods for non-commercial purposes; and
- f) trade in ivory carvings for non-commercial purposes.

Summary: The Botswanan population of the African Elephant was transferred from Appendix I to Appendix II in 1997, subject to annotation °604. The latter made provision for experimental quotas of raw ivory (25.3 tonnes in the case of Botswana) which were exported in 1999. This part of the annotation is therefore no longer operational. Parts of the annotation applicable to Botswana still in operation allow for: 1) export of hunting trophies for non-commercial purposes; and 2) export of live animals to appropriate and acceptable destinations. All other specimens shall be deemed to be specimens of species included in Appendix I and the trade in them shall be treated accordingly. The proposed amendment allows for trade in hides, in leather goods and ivory carvings for non-commercial purposes and for an export of registered, government-owned stocks of raw ivory starting not earlier than May 2004, with an initial amount of not more than 20 000 kg and a subsequent maximum annual quota of 4 000 kg to CITES-approved trading partners who will not re-export ivory.

The proposal entails a request for an annual quota for export of raw ivory, following a one-off export quota, and may thus be interpreted as adhering to paragraph D, Annex 4, of Resolution Conf. 9.24. There are no explicit guidelines in the Convention or in resolutions of the CoP for assessing such requests. However, as noted in the introduction to the elephant proposals, because annotation °604 indicates that all specimens of African Elephant in Botswana other than those specified in the annotation should be treated as if they were of species in Appendix I, the terms of paragraph B 2c) of Annex 4 of Resolution Conf. 9.24 appear to be applicable. These state that the quota must be approved by the Conference of the Parties, based on management measures described in the supporting statement of the amendment proposal, provided that effective enforcement controls are in place. In the case of hides, no quota is proposed, so that the precautionary measures in paragraph B 2b) appear to be applicable (the Conference of the Parties must be satisfied with the implementation of the requirements of the Convention, in particular Article IV, and be satisfied that appropriate enforcement controls are in place). An analysis of whether the Botswanan population of African Elephant might meet the criteria for inclusion in Appendix I is set out in the analysis of proposal 12.11.

Analysis: The basis for the proposed quota for exports of raw ivory is not clear. Compliance with the precautionary undertakings referred to in Decision 10.1, Part A paragraph h) was verified by the CITES Secretariat in April 1999, allowing a one-off export of an experimental quota of ivory under the terms of annotation °604. The conditions for establishing a CITES-approved trading partner for the proposed ivory quota are not clear. It is also not clear whether the production and sale of worked ivory (ivory carvings) will be subjected to the conditions established in Resolution Conf. 10.10 (Rev.), or what measures will be taken to ensure that international transactions are for non-commercial purposes.

Supporting Statement (SS)	Additional information
Botswana	<u>Range</u>
	<u>IUCN Global Category</u> <i>Loxodonta africana is classified as EN A1b</i>
<p>Raw ivory: The SS gives the state of the country's ivory stock at 6 June 2002 as 25.4 tonnes of pieces and whole tusks arising from natural mortality and management, and 7.6 tonnes of pieces and whole tusks arising from seizures. The SS states that ivory of unknown origin or originating outside Botswana will not form part of any export.</p> <p>Hides and leather goods: The SS states that Botswana does not recover elephant hide from elephants killed in protection of property due to lack of storage space but would like to collect such hides and trade them.</p>	<u>Management measures</u> <i>The basis for establishing the proposed annual export quota for raw ivory from 2005 onwards is not given in the SS.</i> <i>Ivory carvings: The SS does not indicate the current existence or status of ivory carvers or an ivory manufacturing industry in Botswana.</i>
	<u>Enforcement measures within proposed country of export</u> <i>Hides and leather goods: There is no evidence of significant elephant poaching associated with commercial trade in elephant hides (TRAFFIC East/Southern Africa, 2002).</i> <i>Ivory carvings: The SS does not outline any domestic control measures for internal trade in ivory or address the conditions presented in <u>Regarding control of internal ivory trade</u> in Resolution Conf. 10.10 (Rev.).</i>
<p>In the case of raw ivory, the SS notes that Botswana proposes to export only to CITES-approved trading partners who will not re-export.</p>	<u>Enforcement measures within potential countries of import</u> <i>Neither the proposed amendment to annotation °604 nor the supporting statement set out what conditions might have to be met for CITES approval of trading partners for raw ivory, nor do they propose a mechanism by which such approval might be obtained.</i>

References:

TRAFFIC East/Southern Africa, 2002. *in litt.* to TRAFFIC International, Cambridge, UK.